



U.S. Department of Justice

Brett L. Tolman

**United States Attorney
District of Utah**

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**CONTACT: MELODIE RYDALCH
801-325-3206
801-243-6475 (CELL)**

PRESS RELEASE

UTAH PROJECT SAFE CHILDHOOD: BRINGING LOCAL, STATE, AND FEDERAL PARTNERS TOGETHER TO COMBAT GROWING THREAT OF SEXUAL EXPLOITATION CRIMES AGAINST CHILDREN

SALT LAKE CITY – U.S. Attorney Brett L. Tolman, joined by a group of local, state, and federal law enforcement, prosecution, and community partners in Salt Lake City today, officially kicked off Utah Project Safe Childhood, an initiative designed to target and combat the growing threat of sexual exploitation crimes committed against children through the Internet.

Joining Tolman in a panel discussion were FBI Special Agent in Charge Timothy J. Fuhrman; Utah Attorney General Mark Shurtleff; Utah Department of Public Safety Commissioner Scott Duncan; Utah Council for Crime Prevention Coalition CEO Tibby Milne; Michelle Collins, Director of the Exploited Child Unit at the National Center for Missing and Exploited Children; Assistant U.S. Attorney Craig Haller of the Department of Justice's Executive Office for United States Attorneys; Assistant Washington County Attorney Ryan Shaum; Lt. Phil Howell of the Weber

County Sheriff's Office; Rod Layton, Director of Weber-Morgan Children's Justice Center – and McGruff, the Crime Dog.

“On a daily basis, predators are trolling the Internet in search of victims. Some are seeking to profit from the creation and distribution of child pornography. Others are sexual predators who seek gratification through illegal and often violent sexual encounters,” Tolman said.

“Using the partnerships and resources of Project Safe Childhood, we will look for every opportunity we can find to warn residents of Utah of the real and dangerous threats facing our children. Project Safe Childhood also is issuing a warning to predators: we are aware of you and are coming after you. It is the highest priority of my office to find these predators sooner, punish them harder, and then to watch them closer,” Tolman said.

Others guests, including Utah police chiefs and sheriffs; federal, state, county and district attorneys; local, state and federal law enforcement officers; community members and education leaders also participated in the discussion about strategies to combat child sexual exploitation in Utah. Max Rogers of the Boys and Girls Club also gave a NetSmartz presentation.

As a part of the kickoff, the U.S. Attorney's Office recognized the work of law enforcement officers working on child exploitation cases in Utah. Certificates of commendation were given to Utah Adult Probation and Parole Agent Darren Swain; FBI Special Agents Camey Newey, Mark Martinez, Jeff Ross, and Patrick Kiernan; Davis County Sheriff's Office Sgt. Tadd Lowe; Weber County Sheriff's Office Lt. Phil Howell and Sgt. Janice Van Orden; Roy Police Department Det. Matt Gwynn; ICE Special Agent Jeff Bridge and members of the Utah County Sex Crimes Task Force, which includes officers and agents from the BYU, Lehi, Orem, Provo, Spanish Fork, Salem, Payson, Pleasant Grove and Springville Police Departments, the Utah County Sheriff's Office, and the FBI.

An important component of PSC is an increased focus on integrated federal, state, and local efforts to investigate and prosecute child sexual exploitation cases. The U.S. Attorney's Office in Utah will continue to partner with existing local, state, and federal law enforcement task forces in working child exploitation cases.

“Residents of Utah can be extremely proud of the expertise and commitment law enforcement officers working child exploitation cases demonstrate on a daily basis. The U.S. Attorney’s Office will contribute the resources and assets we have, including the use of significant federal prison sentences, to help make our communities safer from those who prey on children,” Tolman said.

Tolman also said PSC will help coordinate training for law enforcement officers, community members, and parents. “Community awareness and educational programs will be a key component of Project Safe Childhood in Utah. Raising the awareness of families about the threat of online sexual predators is something we will work with our PSC partners to facilitate,” Tolman said.

Although Project Safe Childhood is a new initiative, officers, agents and prosecutors have been involved in child exploitation cases for many years. Here are some examples of cases, investigated by local, state, and federal law enforcement officers, which were prosecuted in federal court:

1. Frank Rey Lucero (DOB 3-23-68) of Midvale, who pleaded guilty in U.S. District Court in September to transportation with intent to engage in criminal sexual activity and using an interstate facility to transmit the name of a minor for enticement, was sentenced by U.S. District Judge Tena Campbell to 20 years in prison in January. Lucero admitted he transported a minor from Nevada to Utah so he could engage in sexual conduct with the 16-year-old. The FBI, Midvale and Salt Lake City Police Departments, the Salt Lake County District Attorney's Office, and the U.S. Attorney's Office participated in the investigation and prosecution of the case against Lucero.
2. A district judge granted an upward departure in sentencing guidelines to send Kyle David Walker (DOB 3-21-73) of Salt Lake City, a convicted child sex offender, to federal prison for 144 months after he admitted downloading and possessing more than 25 images of child pornography on his laptop computer. Walker faced a mandatory minimum sentence of 10 years in federal prison for possession of child pornography. U.S. District Judge Tena Campbell gave him an additional two years. There is no parole in the federal criminal justice system.

3. Jonathan James Munro (DOB 4-11-82) of Salt Lake City, convicted of coercion and enticement for illegal sexual activity and possession of a firearm during a crime of violence, is serving a 10-year federal prison sentence. (Five-year mandatory minimum for enticement and consecutive five-year mandatory minimum for the firearm conviction.) Munro was arrested in Salt Lake City after making contact with a Utah Internet Crimes Against Children Task Force agent acting in an undercover capacity on the Internet. He arranged to meet who he thought was a 13-year-old female at an elementary school. He was arrested in the school parking lot and officers found a handgun in his pocket with six rounds of ammunition in the magazine clip.
4. Gerald Wheeler, age 40, of Salt Lake City pleaded guilty in March 2007, to production of child pornography. He admitted that in July 2006, he coerced Child H to engage in sexually explicit conduct for the purpose of producing a visual depiction of the conduct. He faces a mandatory minimum 15-year federal prison sentence up to 30 years when he is sentenced June 5, 2007, by U.S. District Judge Ted Stewart. Wheeler was arrested following an investigation by the FBI and Utah ICAC Task Force, along with agencies in Illinois. According to a complaint filed in the case, a parent contacted law enforcement officers in Naperville, Illinois, to report that his 13-year-old daughter had been receiving obscene and sexual messages on her MySpace computer site. The messages included requests for the child to engage in various sexual acts. Child H also was asked to fly to New York to engage in sexual conduct in exchange for a modeling contract. Law enforcement officers, with the help of the parent, discovered several photographs of the child in sexual poses. They were able to trace an IP address to SLC where Wheeler was ultimately arrested.
5. Kirk Alan Swearingen (DOB 10-22-60) pleaded guilty in February 2007 to possession of child pornography. He admitted that he possessed images of prepubescent minors engaged in sexual activity on his computer. He also admitted he has a 1983 conviction in Colorado for a sex offense involving a child. Sentencing is set for June 25, 2007, before U.S. District Judge Dale A. Kimball. Swearingen faces up to 20 years in prison with a mandatory minimum sentence of 10 years and a term of supervised release up to life. Swearingen came to law enforcement's attention when he traveled

from California to Salt Lake City and attempted to rent an apartment. He provided what the apartment owner suspected was a false social security number. The owner contacted members of the Utah Identity Theft Task Force who responded to the apartment complex. The number Swearingen provided actually belonged to a 91-year-old man. The case was investigated by the FBI and members of the Utah ITTF.

6. Jacobo Javier Rivera (DOB 7-2-73) of Orem is spending 20 years in federal prison after pleading guilty in April 2006 to two counts of possession of child pornography. U.S. District Judge Ted Stewart sentenced him to the maximum sentence allowed under law for each count and ordered that the sentences be served consecutively. Rivera came to the attention of law enforcement authorities when an individual brought a cell phone into the Provo Police Department. The cell phone contained images of child pornography. As a part of his plea agreement, Rivera admitted that he possessed less than 10 images of child pornography and that the images were of prepubescent minors and depicted sadistic and masochistic conduct.
7. Herbert Edward Mumpower (DOB 8-21-68) of Spanish Fork pleaded guilty in December to coercion and enticement for illegal sexual activity and was sentenced in April to 60 months in federal prison and 120 months of supervised release when he finishes his prison sentence. He admitted that he used the Internet to attempt to persuade or entice an individual who was represented to be a 13-year-old girl living in Utah (actually an undercover officer) to engage in sexual intercourse. He was arrested following an investigation by officers and agents of the Utah County Sex Crimes Task Force.

Three new PSC indictments were returned by a grand jury in Salt Lake City Wednesday. Copies of the indictments are attached.

They include:

Thomas Elliot Degroff

DOB 3-22-70

Charged with possession of child pornography and production of child pornography

Potential maximum sentence for possession of child pornography is up to 10 years. Production of child pornography is a 15-year mandatory minimum

The case is being investigated by the Utah County Sex Crimes Task Force, including the FBI and Salem Police Department

Ramirez Montalvo

DOB 4-11-80

Annandale, Virginia

Charged with production of child pornography and travel with intent to engage in illicit sexual conduct.

Potential penalties: 15-year mandatory minimum for production of child pornography and up to 30 years for travel with intent to engage in illicit sexual conduct.

The case is being investigated by the ICAC Task Force.

Patrick James Rains

DOB 8-1-84

Residence unknown

Charged with receipt of child pornography and possession of child pornography.

Potential penalties: Receipt of child pornography up to 20 years with a 5-year mandatory minimum and possession of child pornography up to 10 years.

The case is being investigated by the Heber City Police Department.

Defendants charged in indictments or complaints are presumed innocent unless or until proven guilty in court.

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